

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention.

Claim 4 recites the limitation "**The analysis time** for the data received ...".

There is insufficient antecedent basis for this limitation. Claim 1 does not recite such limitation to establish proper antecedent basis.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by David Cuccia, WIPO Publication WO 98/30023 (hereinafter Cuccia).

Regarding Claim 1, Cuccia substantially discloses:

Method for initializing a digital decoder (element 102) comprising a tuner capable of receiving, in succession, data on several frequencies (element 104), each frequency being able to carry a data transport stream (Figure 1, TS1..n) Containing forthcoming events tables transmitted by service providers (element 106, Figure 1, and figures 2,3,4), said method comprising the steps consisting in analyzing in succession the data received on each transport stream so as to detect the presence of forthcoming events tables and recording in a memory of the decoder (summary of the invention, page 2, lines 9 through 15) a list of identifiers of the service providers transmitting forthcoming events tables (as shown in Figures 1 and 2).

Claim 2: Method according to claim 1, furthermore comprising a step consisting in recording in the memory of the decoder (elements 203, 206), for each service provider that transmits forthcoming events tables, a list of identifiers of transport streams on which said tables are transmitted (rejected as applied to claim 1, figures 1 and 2).

Claim 3: Method according to claim 2, furthermore comprising a step consisting in recording in the memory of the decoder (elements 203, 206) an information item specifying for each transport stream whose identifier is stored in said list: whether at least one forthcoming events table transmitted on said transport stream makes reference to a service transmitted on the same transport stream;

and/or whether at least one forthcoming events table transmitted on said transport stream makes reference to a service transmitted on another transport stream (rejected as applied to claim 1, figures 1 and 2).

Claim 4: Method according to claim 1, in which the analysis time for the data received on a transport stream is a predetermined duration that is less than the period of repetition of said forthcoming events tables in said transport stream (Rejected as applied to claim 1, figure 1, Page 5 lines 13 through 21)

Claims 5: Method according to claim 1, in which the initialization is triggered automatically during the installation of the decoder. ( Rejected. Examiner takes official notice that initialization of an electronic device upon installation is well known within the art. In particular set top boxes supplied by various cable operators were initialized upon installation at the point of service. As such these feature is inherent in Cuccia's teaching).

Claim 6: Method according to claim 1, in which the initialization is triggered automatically on receipt by the decoder of an initialization signal. ( Rejected. Examiner takes official notice that initialization of an electronic device upon receipt of a trigger signal is well known within the art. In particular, set top boxes, supplied by various cable operators, were reinitialized, as needed, at the point of service. As such this limitation inherent in Cuccia's teaching).

Claim 7: Method according to claim 1, in which the initialization is triggered manually by the user. (Rejected. A manual initialization can be construed as power on/off which is covered by the same analysis as applied to claim 5, or issuance of a command, which is the same as applied to claim 6).

Claim 8: Digital decoder (elements 102, 202) comprising a tuner (elements 104,204) capable of receiving, in succession, data on several frequencies, each frequency being able to carry a data transport stream containing forthcoming events tables transmitted by service providers (TS1... TS<sub>n</sub>), a central processing unit (element 205) including programmable means and linked to the tuner and suitable for driving it, wherein the central processing unit is suitable for initializing the decoder by being programmed to analyze the data received on each transport stream (elements 202, 203, and 205) so as to identify the presence of forthcoming events tables, and so as to record in a memory of the decoder a list of identifiers of service providers transmitting forthcoming events tables.

(Rejected as applied to claim 1, figures 1,2)

Claim 9: Decoder according to claim 8, wherein the central processing unit is furthermore adapted for recording in the memory of the decoder (element 206), for each service provider that transmits forthcoming events tables (figures 3 and 4), a list of identifiers of transport streams on which the said tables are transmitted. (Rejected as applied to claim 1, Figures 1, 2,3, and 4)

Claim 10: Decoder according to claim 9, wherein the central processing unit is furthermore adapted for recording in the memory of the decoder, an information item specifying for each transport stream whose identifier is stored in said list: whether at least one forthcoming events table transmitted on said transport stream makes reference to a service transmitted on the same transport stream, said table then being of the "actual" type and/or whether at least one forthcoming events table transmitted on said transport stream makes reference to a service transmitted on another transport stream, the said table then being of the "other" type. (Rejected as applied to claim 1, Figures 1, 2,3, and 4)

Claim 11: Decoder according to claim 10, furthermore comprising means for generating a program guide on the basis of information contained in forthcoming events tables transmitted by the service providers, wherein said means are adapted for presenting with a particular tag the services of providers whose identifier is not included in said list of identifiers. (Rejected as applied to claim 1, Figures 1, 2, 3, and 4)

Claim 12: Decoder according to claim 11, wherein said program guide generation means are furthermore adapted, in order to present the forthcoming events of a given service of a provider whose identifier is included in said list of identifiers of providers (elements 202,203,205, and 206): for verifying in said list of identifiers

of transport streams that transmit forthcoming events tables in respect of said provider whether at least one transport stream comprises an information item specifying that the said transport stream transmits forthcoming events tables of "other" type and, in case of positive verification: in acquiring the forthcoming events tables containing the information relating to this service by driving the tuner so that it locks onto a frequency corresponding to said transport stream that transmits forthcoming events tables of "other" type; or in case of negative verification: in acquiring the forthcoming events tables containing the information relating to this service by driving the tuner so that it locks onto a frequency corresponding to the transport stream that transmits the said service. (Rejected as applied to claim 1, Figures 2)

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - Hayashi, Tsutomu, "System and Method for Digital Communication", European Patent Specification, EP 0905985. Presents a digital broadcasting system capable of quickly acquiring long term program information. An SI generating part SG2 generates a long term program information S\_EIT which is multiplexed in a transport stream TS2 only. The SI generating part SG2 gives information on whether the long term program information S\_EIT is present or not for each service to other SI

generating parts SG1 and SG3. The SI generating parts SG1 and SG3 multiplex the given presence information in transport streams TS1 and TS3. In this way, the presence information is multiplexed in all the transport streams. Therefore, the presence information may be acquired whichever transport stream is being received. If the presence information is retained beforehand, the information may be quickly used as required.

- Klopfenstein Scott e., "A System for Acquiring and Processing Broadcast Programs, Program Guide and Channel Identification Data", WIPO, WO 0072581. Presents a system for acquiring program information conveyed on one of a plurality of broadcast channels involves identifying an individual broadcast channel in response to user entry of either of, (a) a first channel identification number (e.g. a virtual channel identification number) and (b) a different second channel identification number (e.g. a transmission channel identification number). The system is tuned to receive the identified individual broadcast channel and packetized program information is acquired comprising a program conveyed on the individual broadcast channel using an acquired program guide. The packetized program information is processed to be suitable for display. The system also supports navigating within a first list of broadcast channels and a second list of sub-channels associated with individual broadcast channels in response to user activation of first and second navigation controls respectively.

- Wasilewski Anthony J., "Logical and Composite Channel Mapping in an MPEG Network", US Patent No. 5,600,378. Presents a multi-service communications system in which a plurality of different services are transmitted to subscribers over one or more different frequency channels. More particularly, the present invention relates to the transmission of a Logical Channel Table (LCT) which provides an abstraction between network parameters, such as transport stream ID and program number, and application layer elements, such as program guides or numeric channel selections, and to the transmission of a Composite Channel Table (CCT) which supports a time-sequenced concatenation of services from possibly different multiplexes so that the concatenation of services appears as a single service requiring no intervention on the part of the subscriber.

### **Contact Info**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Marandi whose telephone number is (571) 270-1843. The examiner can normally be reached on 8:00 AM- 5:00 PM M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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